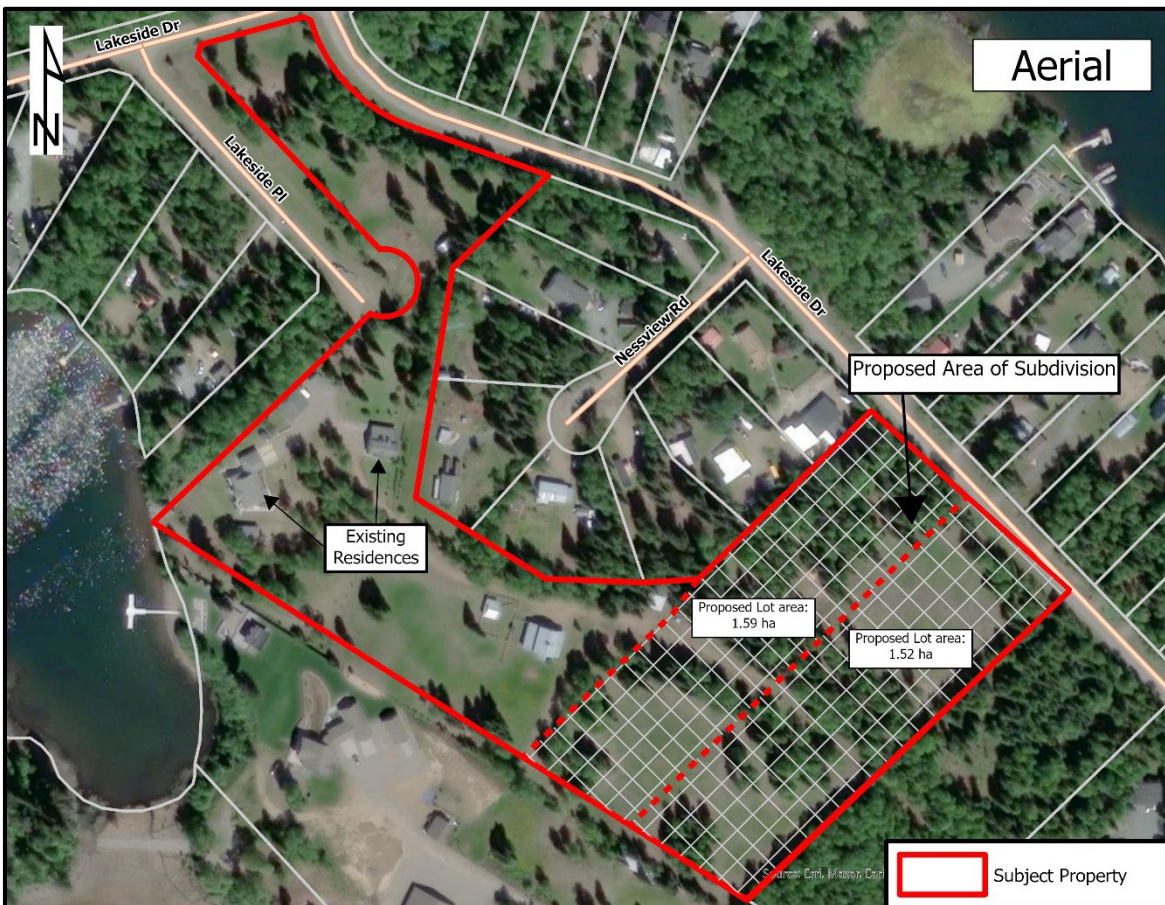
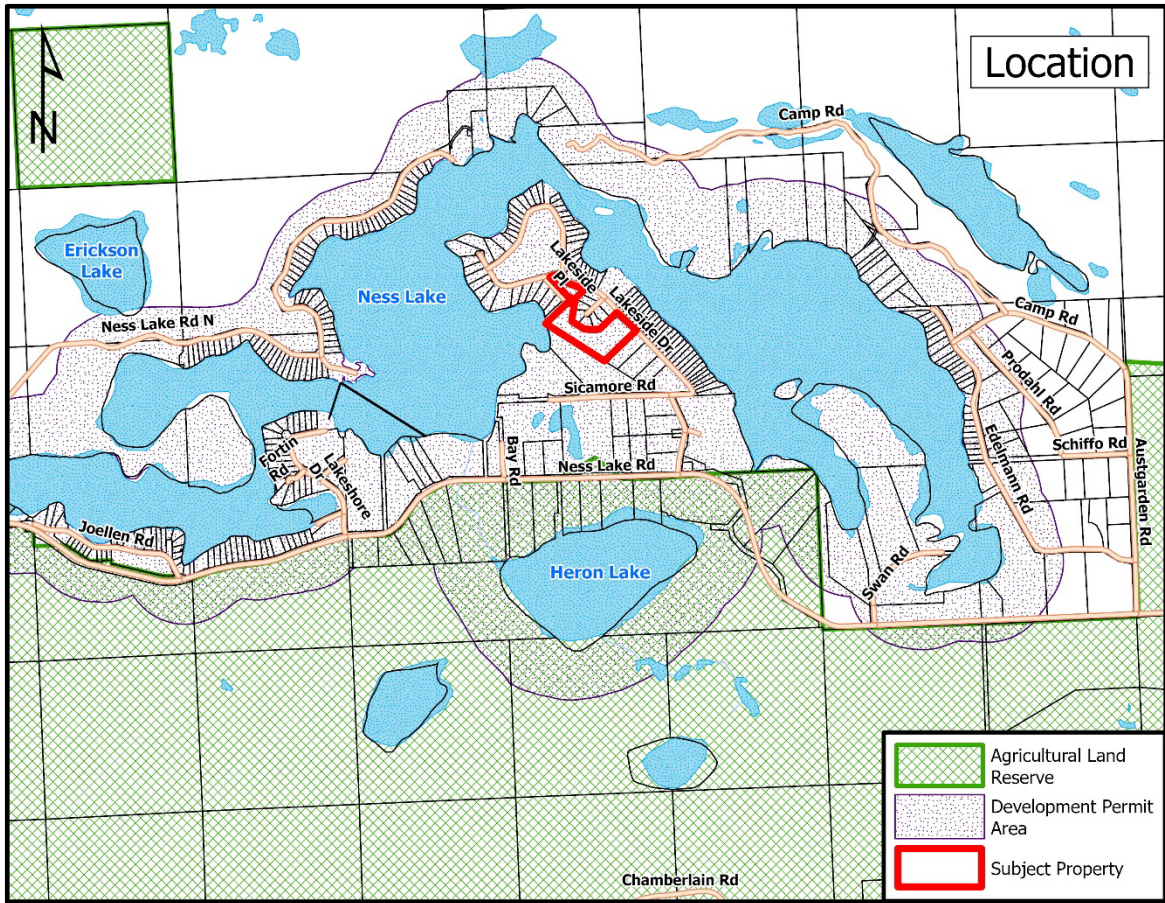


BACKGROUNDER – Development Permit No. 1514 and Covenant Request

PARCEL MAPS



LAND USE PLANNING INFORMATION

- ALR: The subject property is not within the Agricultural Land Reserve (ALR).
- OCP: The property is designated Lakeshore Settlement (LS) by the Salmon River and Lakes Official Community Plan (OCP).

The land is entirely within the Ness Lake Development Permit Area (DPA). All lakes and islands within the Plan area are designated, pursuant to the Local Government Act, for mandatory Development Permits for development, including subdivision, within 300 metres (1000 ft.) from the lakeshore.

Per Section 3.5.8 B of the OCP:

The Development Permit Area objectives are:

- (i) to ensure the protection of the water quality of the lake, since the trophic status of each lake is, or could become, such that surrounding development could over future years have a significant detrimental effect on water quality;
- (ii) to protect the aesthetic scenic qualities of the lakeshore, since the lakes have a significant amount of public use and the future development of the lakeshore is important in maintaining the qualities which make it attractive for that use;

Per Section 3.5.8 C of the OCP:

Guidelines for development pertaining to the subject application include the following:

The main guidelines for the issuance of Development Permits, pursuant to the Local Government Act, which will assist in achieving the objectives set out in Policy 3.5.8(B) are:

- (i) the location of sewage disposal systems will be evaluated with respect to distance from the lake, soil and other conditions to minimize or eliminate nutrients entering the lake, with the general guideline that such systems should be located as far as possible from the lakeshore, by defining conditions that will determine whether a sewage disposal system may be constructed from 30 m (100 ft) to 150 m (500 ft) of the lakeshore;
- (ii) development will be evaluated with respect to the distance and visibility of buildings from the lakeshore to minimize any detrimental visual impact and to maintain the integrity of riparian vegetation with the general guidelines that:
 - (a) development of buildings and structures be at least 15 m (50 ft) from the lakeshore; and
 - (b) development includes the alteration of the land surface or the clearing of vegetation; and
 - (c) outbuildings less than 50 sq. m. in size that are accessory to the principal residential use of a property, are exempted from the requirement of obtaining a development permit if they are to be located beyond 50 m. (165 ft.) from a lakeshore;
 - (d) an area, not greater than a distance of 100 m (330 ft) from the lakeshore, may be defined as an area to remain free of development, and where any development is permitted within this area then a condition may be contained in the permit that areas of natural vegetation which are visible from the lake must be retained for other than agricultural uses as noted below;

- Lakeshore Guidelines: Per Appendix 2- Lake Classifications of the Lakeshore Guidelines, Ness Lake is at maximum shoreline subdivision development; however, this proposal will not create any new parcels along the shoreline. The application is consistent with the Lakeshore Guidelines.

Zoning: The property is currently Small Holding (SH) and Rural Residential 1 (RR1) by Zoning Bylaw No. 2892, 2014.

The area of the proposed remainder lot is zoned SH with a site-specific regulation permitting two Residential-Single Family uses.

The area of the proposed new lots is zoned RR1 with a site-specific regulation setting the minimum subdivision lot size at 1.4 ha. This area was rezoned from SH to RR1 in September 2025 to facilitate the proposed subdivision. The report to Board is linked on the agenda.

Small Holding (SH) Zone	Rural Residential 1 (RR1) Zone
<p><u>Permitted Uses:</u></p> <ul style="list-style-type: none"> • Agriculture • Forestry • Intensive Agriculture • Kennel • Cannabis Production • Nursery • Open Space Recreation • Residential-Single Family <ul style="list-style-type: none"> ○ Secondary suite ○ Homecraft ○ Home Occupation • Riding Stable • Veterinary Clinic • General Permitted Uses • Buildings and structures accessory to the permitted uses 	<p><u>Permitted Uses:</u></p> <ul style="list-style-type: none"> • Agriculture • Open Space Recreation • Residential-Single Family <ul style="list-style-type: none"> ○ Secondary suite ○ Homecraft ○ Home Occupation • General Permitted Uses • Buildings and structures accessory to the permitted uses.

Proposed Development Permit No. 1514: Development Permit No. 1514 is proposed to authorize subdivision of the property to create two lots, each not smaller than 1.4 ha, within the RR1 zoned area of the property.

Covenant: In 2010, a covenant (No. BB1267807) was registered on the property in favor of the Regional District. The covenant prohibits the establishment of a secondary Residential-Single Family use on any part of the subject property other than on the second floor of the existing Accessory Building. The applicant proposes that the covenant will only be relevant to the proposed remainder lot with the existing houses. Board authorization is needed for the covenant to be discharged from the proposed new lots. When the new lots are created at the final subdivision stage, the covenant will remain on the title of the larger remainder lot with the two houses, where it is relevant. The covenant will not be registered to the title of the two new smaller lots, where it is not relevant.

Proposed Development Permit No. 1514: Development Permit No. 1514 is proposed to authorize subdivision of the property to create two lots, each not smaller than 1.4 ha, within the RR1 zoned area. The proposed permit is attached to the report.

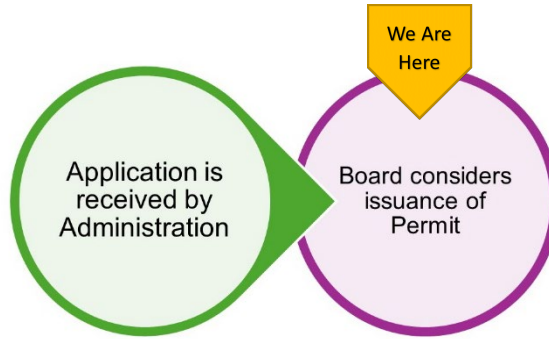
Other: The property is accessed from Lakeside Place. The proposed lots will be accessed from Lakeside Drive.

The properties are in the following RDFFG service areas:

- Ness Lake Fire

APPLICATION PROCESS INFORMATION

Application Process
Overview:



Future RDFFG
Applications:

Regional District Subdivision Servicing Bylaw No. 2815 will require the applicant to provide proof of onsite sewage disposal system capability and proof of drinking water source quality and quantity for the proposed lots. These requirements, along with covenant discharge, are addressed during the final subdivision application process with the Ministry of Transportation and Transit.